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NO. 82-1779

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1983

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IN THE MATTER OF WILLIAM CHARLES HOFFMAN,

PETITIONER.

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# REPLY BRIEF REGARDING PETITION FOR A WRIT OF CERTIORARI TO THE MINNESOTA SUPREME COURT

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WILLIAM C. HOFFMAN
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(612) 770-6582
Petitioner Pro Se

SUPREME COURT OF THE UNITED STATES

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ARGUMENT

The Respondent contends that the Amended Order of the Minnesota Supreme Court dismissing this case renders the case moot.

However, the dismissal violated the Petitioner's rights to due process, and he so alleged in his Answer to Motion of Director to Dismiss.

Rule 14 (e) of the Rules on Lawyers Professional Responsibility states:

> "(e) Hearing before Court. This Court within ten days of the referee's findings, conclusions, and recommendations, "shall" set a time for hearing before this Court. The order shall specify times for briefs and oral arguments. The matter shall be heard upon the record, briefs, and arguments."

This Rule is mandatory, not discretionary.

In his Answer to Motion of Director to Dismiss, the Petitioner specifically referred the Minnesota Supreme Court to Rule 14 (e) and he also specifically alleged that he was entitled to due process under the United States Constitution, as well as the Minnesota State Constitution, and dismissal of the case by the Minnesota Supreme Court would violate his rights to due process. (A-62).

In spite of this, the Minnesota Supreme Court did dismiss the case, thereby violating the Petitioner's rights to due process.

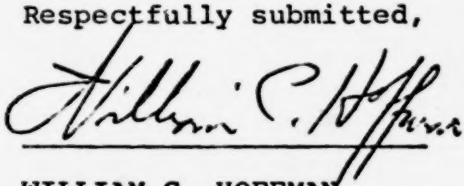
Since the Petitioner could not seek further redress in the Minnesota Courts,

his only right to redress was to the United States Supreme Court.

The dismissal by the Minnesota Supreme Court, rather than rendering this case moot, gave rise to an additional violation of the Petitioner's rights to due process under the laws of the United States, and this case presents important Federal questions regarding the rights of a citizen of the United States that only the United States Supreme Court can resolve.

Therefore, the Petitioner respectfully requests this Court to issue a Writ of Certiorari in this case.

Respectfully submitted,



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